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Attorneys for Petitioner  
RICHARD DEAN CLARK

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RICHARD DEAN CLARK,  
Petitioner,

vs.

MICHAEL MARTEL, Acting Warden of  
California State Prison at San Quentin,  
California,

Respondent

) No. C-97-20618-JW

) STATUS REPORT AND REQUEST RE  
) DISCOVERY

) **DEATH PENALTY CASE**

Pursuant to the party's previous submission, discovery was to be completed and an evidentiary hearing motion filed by June 12, 2012.

However, it was not possible to submit the motion by that date. Petitioner's counsel has been involved in ongoing and extensive dissolution proceedings that have occupied most of his time. Those proceedings concluded with a final order on June 20, 2012. In addition, Petitioner's counsel has been involved in lethal injection litigation in three courts in the past six weeks. This litigation was precipitated by private party and the Los Angeles District Attorney who has sought execution dates despite a state court injunction preventing execution at present. The briefing in those matters that is

1 going to be submitted by Petitioner's counsel has been completed and a hearing is set for July 13, 2012.

2 In light of the above, Petitioner's counsel requests that he be allowed to make his evidentiary  
3 submission with any new evidence by July 10, 2012. Respondent's counsel agrees to this request.

4 Dated: June 23, 2012

Respectfully submitted,

5 JOHN R GRELE  
6 LYNNE S. COFFIN  
7 Attorneys for Petitioner  
8 RICHARD DEAN CLARK

9 By: \_\_\_\_\_/s/\_\_\_\_\_  
John R Grele

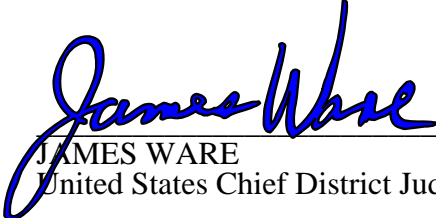
10 Dated:

ALICE LUSTRE  
Attorney for Respondent

12 By: \_\_\_\_\_/s/\_\_\_\_\_  
13

14 Pursuant to stipulation, IT IS SO ORDERED.

15 Dated: July 10, 2012

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JAMES WARE  
United States Chief District Judge